

### **REMARKS**

Applicant, through his attorney, gratefully acknowledges the courtesy of a personal interview that was extended by Primary Examiner Stephen Gravini on June 23, 2005, and again by telephone on July 11, 2005.

During the course of the aforementioned June interview it was specifically emphasized that the Applicant's claimed invention is dimensioned to underlie and support a conventional outdoor portable cooking grill such as is disclosed by O'Grady, et al., Patent No. 6,357,344 (minus the support legs), and not form a receptacle per se for hot coals or gas burners that would be supported in some fashion by the windscreen apparatus.

O'Grady et al. has a front wall while amended claim 1 clearly does not.

O'Grady et al.'s "grill 60" does not and cannot lie on a planar surface or there would be no place for the "burning fuel" (see Col. 4, lines 1-10 of O'Grady et al.). O'Grady et al. calls for a "firebox 10" with a bottom, front and sides for holding the "grill 60" above the fuel.

O'Grady does not fold to a flat profile as recited in the added portion of amended claim 1.

Furthermore, claim 1 as now amended is much more restrictive in scope in that the preamble concludes with the limitation "consisting of" that limits the apparatus to four generally planar surfaces embodied by the base member, the rear wall member, and the pair of side wall members.

This limitation not only distinguishes the Applicant's claimed construction from the references currently of record in the present application, but also distinguishes the claims from the Longley, Jr., reference, U.S. Patent No. 4,794,906 that was cited in a related patent application, Serial No. 10/886,238.

Claim 1 "consists of" a structure which does not include a front wall. Longley, Jr. has a front wall. It would not be obvious to change Longley, Jr. to omit his front wall because the front wall supports one side of the pot U and provides

structural stability to hold the six upright walls in place during use of the Longley, Jr. device.

Based on the foregoing situation, it is sincerely believed that the claims as now presented clearly define patentable subject matter, and a formal Notice of Allowance based thereon is earnestly solicited.

Respectfully submitted,

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By

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